

**BOARD OF CHIROPRACTIC EXAMINERS  
MINUTES**

DATE: July 21, 2016

TIME: 9:00 AM CST

LOCATION: Poplar Conference Room  
665 Mainstream Drive, 1st Floor  
Nashville, TN 37243

MEMBERS PRESENT: Chris Alexander, D.C., President  
Richard Cole, D.C., Board Member  
Andrea Selby, D.C., Board Member  
Cole Hosenfeld, D.C., Board Member  
Sheila Fitzgerald, Consumer Member, Secretary  
Joseph Amato, D.C., Board Member

MEMBER(S) ABSENT: Nancy Strawn, Consumer Member

STAFF PRESENT: Michael Sobowale, Unit Director  
Lakita Taylor, Board Manager  
Marcina Egedegbe, Interim Board Administrative Assistant  
Mark Cole, Assistant General Counsel  
Nichelle Dorroh, Office of Investigations

STAFF ABSENT:

GUESTS: Tiffany Stevens, Executive Director, TCA  
Ben Simpson, Office of Legislative Affairs  
John Williams, JD, TCA Representative

**Call to Order**

Roll call was initiated by Michael Sobowale. With a quorum present, Dr. Alexander called the meeting to order at 9:15 AM.

**Minutes**

After a review of the minutes from the April 21, 2016 meeting Dr. Cole Hosenfeld made a motion, seconded by Sheila Fitzgerald, to accept the minutes as presented. The motion carried.

**Office of General Counsel Report**

Mark Cole, Assistant General Counsel, reported there were 15 open disciplinary cases on 14 chiropractors. Mr. Cole provided an update on the status of the rule changes approved at the December 18, 2015 rulemaking hearing. He reported the rules revision process is still ongoing with the Attorney General's Office. Mr. Cole informed the board that the Rules Coordinator of the Office of General Counsel confirms that proposed rule changes for the Chiropractic Board is due for review. Chiropractic x-

ray technologists could possibly be affected by Public Chapter 1029, which proposes the establishment of a radiography board.

### **Order of Compliance – Lucius Hare, DC**

Mark Cole, Assistant General Counsel, presented the Order of Compliance for Lucius Hare, DC. Dr. Hare plead guilty to a felony in 2008. In 2011, a probationary license was granted to Dr. Hare for a minimum of 5 years. Dr. Hare has complied with the order and is requesting his license to be reinstated. Sheila Fitzgerald made a motion to approve reinstatement, seconded by Dr. Cole Hosenfeld. Upon discussion, Ms. Fitzgerald made a motion, seconded by Dr. Cole Hosenfeld, to accept the Order of Compliance as presented. The motion carried.

### **Investigative and Disciplinary Reports**

Nichelle Dorroh, Disciplinary Coordinator, presented the investigative and disciplinary reports. She reported the Office of Investigations has received 27 open complaint cases for the Board of Chiropractic Examiners to-date. According to the Office of Investigation's report presented by Ms. Dorroh, 33 cases have been closed. Of the thirty-three closed cases, 8 were transferred to the Office of General Counsel, 16 were closed, and 9 were closed with a letter of warning. The Office of Investigations Report reports 36 complaint cases are currently open in the Office of Investigations for chiropractic examiners.

### **Financial Report**

Ms. Vanessa Crutcher, Division Financial Officer, was not available to present but did provide a report of the Board's year-end closing for FY2015 and discussed a breakdown of the Board's expenses. The report detailed the allocated expenditures for administration, investigations, legal, and the cash office. The report shows the total allocated expenditures were \$62,764.20 and total expenditures were \$104,067.77. The Board fee revenue was \$109,125.75; leaving a deficit of \$5,063.98 for the current year net. Ms. Crutcher will present at the next board meeting to discuss FY 2016 closing report.

### **Applicant Interview/Review**

**Kelly Darrow, CTA-** Ms. Darrow is seeking licensure as a Chiropractic Therapy Assistant. The Board reviewed her file due to multiple convictions on her criminal background check. Ms. Darrow was not present to address the Board. Upon review and discussion, Dr. Hosenfeld made the suggestion to defer her interview until the next meeting.

**Paul Rodenbeck, CTA-** Mr. Rodenbeck is seeking initial licensure as a Chiropractic Therapy Assistant. Mr. Rodenbeck is requesting an extension to complete his clinical internship. Upon review and discussion, Dr. Cole made a motion to extend his internship by six (6) additional weeks, Ms. Fitzgerald seconded the motion. The motion carried.

**Melanie Wolf, DC-** Dr. Wolf is seeking licensure as a Chiropractic Physician. The Board reviewed her file due to multiple convictions on her criminal background check. Dr. Wolf presented before the Board to discuss her applicant status. Upon review and discussion, Ms. Fitzgerald made a motion, seconded by Dr. Hosenfeld, to approve Dr. Wolf for licensure. The motion carried.

**Krista Hughes, CTA-** Ms. Hughes is seeking licensure as a Chiropractic Therapy Assistant. The Board reviewed her file due to multiple convictions on her criminal background check. Ms. Hughes was not present to address the Board. Upon review and discussion, Dr. Alexander made the suggestion to defer her interview until the next meeting.

**Ratifications**

Upon discussion of the ratification list, Dr. Cole made a motion, seconded by Dr. Hosenfeld, to approve the following lists of new licensees, externships, reinstatements, and acupuncture qualifiers for ratification: Chiropractic Examiners July 21, 2016.

**INITIAL LICENSES**

**Chiropractic Physicians – 21**

ABERDEEN, HAZEL  
AITKEN, DAVID  
MICHAEL  
BOX, RACHAEL  
KATHRYN  
CHALKE, DAVID  
COLON, ALESSANDRA  
DAVIDSON, JAKE  
ESTEP, NICHOLAS

FARRIER, ALFRED  
FITE, DEDRA ANN  
FALANNAGAN, JOSEPH  
GOODE, MATTHEW  
GROSS, CHRISTOPHER  
HALLAM, MELINDA  
HOLLOWAY,  
NATHANIEL  
LICTUS, LINDSEY

NIEBRUGGE, KEN  
ROGERS, STEVEN  
SHOOK, MONET  
SKYE, COLLIN  
TILLMAN, RANDALL  
WOLD, CAMERON KYLE

**Chiropractic Therapy Assistants – 20**

BAMFIELD, JOSHUA  
BOUTON, TAMMY  
BYRNS, MELISSA RAE  
CRAWFORD, ERIN  
DANIEL, ALISON  
FABOZZI, PEGGY  
HALL, LAUREN  
HICKEY, PATRICK RYAN

JONES, BRIDGET  
KENDRICK, NATASHA  
LIVINGSTON, T'ONNA  
MAY, MEGAN  
NABORS, KATRINA  
LYNN  
NEWBERRY, AJA NICOLE

RUTLEDGE, SHIRLEY  
CHRISTINE  
SAVAGE, BRITTANY  
SERRANO, JAEMI  
STAHL, GLENDA  
VEALS, PATRICIA V  
WILLIAMS, HEATHER

**Chiropractic X-Ray Technologists – 7**

BYRNS, MELISSA RAE  
GREGG, SARA  
GROOMS, TANYA LYNN

KUENZER, DIETRA  
LANGFORD, MELANIE  
TAYLOR, KENYA

ZVOLANEK, KATHERINE

**EXTERNSHIP LICENSES**

**Temporary License – 1**

HENRICKSON, JACOB

**Externship- 1**

RABIEL, ALAE

**REINSTATEMENTS**

**Chiropractic Physicians – 15**

Chiropractic Examiners  
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BAILEY, BRANDON  
 BENDER, THOMAS  
 BROGDON, DAVID  
 HENDON, WILLIAM LEE  
 INMAN, KATHLEEN

IRWIN, ALICIA MARIE  
 MARSH, JOSEPH S  
 MORTER, JOSHUA  
 NOBLES, GEORGE S  
 PARRISH, JACOB

SCHRADER, GREGORY  
 SMITH, AMY  
 WALDEN, MARYBELLE  
 WANDERAAS, SHAWN  
 YOKLEY, ANDREW

Chiropractic Therapy Assistants – 7

BAKER, MEGAN  
 BRANDON, SHERRY  
 MILLER, BRITTANY N

SUMMERS, AUNDREA  
 WHITEHEAD, KENNETH  
 WHITSON, JENNIFER

WILLIAMS, DANIELLE

Chiropractic X-Ray Technologists – N/A

**ACUPUNCTURE QUALIFIERS**

Chiropractic Physicians –  
 MARTIN, HEATHER

MERRILL, STEPHEN

TUCKER, HOLLY

The motion carried.

**Administrative Report**

Ms. Taylor, Board Manager, presented the administrative report. As of July 20, 2016, there were 1156 active Chiropractic Physicians, 464 Chiropractic Therapy Assistants, and 112 Chiropractic X-Ray Technologists.

**Statistical Report**

**LICENSURE STATUS TOTALS FOR THE MONTHS OF  
 APRIL 7, 2016 THROUGH JULY 20, 2016**

<b>Chiropractic Physician</b>	
New Applications Received - 25	
New Licenses Issued - 23	Renewal Total - 135
Reinstatements - 18	Online Renewals - 79
Licenses Retired - 12	Paper Renewals - 56
Failed to Renew/Expired - 8	
<b>Chiropractic Therapy Assistant</b>	
New Applications Received - 24	
New Licenses Issued - 24	Renewal Total - 56
Reinstatements - 9	Online Renewals - 29
Licenses Retired - 1	Paper Renewals - 27
Failed to Renew/Expired - 8	
<b>Chiropractic X-Ray Technologist</b>	
New Applications Received - 7	
New Licenses Issued - 7	Renewal Total - 12
Reinstatements – 1	Online Renewals - 5
Licenses Retired – 0	Paper Renewals - 7
Failed to Renew/Expired - 2	

For this reporting period, online renewals for Chiropractic Physicians constituted a usage rate of 59 %. For Chiropractic Therapy Assistants, the usage rate is 52 %, and for Chiropractic X-Ray Technologists, the usage rate is less than 42 %.

Chiropractic Examiners

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### TSAC Suspensions

Between April 7, 2016 and July 20, 2016, the administrative office received the following orders of default on student loans:

Chiropractic Physician (DC) – 1

Chiropractic Therapy Assistant (CTA) – 0

Chiropractic X-Ray Technologist (CXT) – 0

### TSAC Suspensions Terminated

Between April 7, 2016 and July 20, 2016, the administrative office received the following orders to terminate suspension for default on student loans:

Chiropractic Physician (DC) – 0

Chiropractic Therapy Assistant (CTA) – 1

Chiropractic X-Ray Technologist (CXT) – 0

### Child Support Suspensions

There were no orders to suspend or suspension terminations to report for default on child support orders.

### Board Members

Currently there are no board vacancies.

### Current Projects

A draft of the Quarterly Evaluation Report for Chiropractic Physician Externship participants was presented to the Board. The board took the form under advisement to allow for additional review and/or input.

### 2016 Conferences

☐ All Board members except Dr. Cole will attend the 2016 District Meeting on September 15-18, 2016, in Nashville, TN.

☐ Dr. Amato to attend the 2016 Annual Educational Conference (CLEAR) on September 15-17 2016, in Portland, OR.

### Agreed Citations

Due to the issue of time, the Board approved for all Agreed Citations which were issued for practicing on a lapsed license and violation of the board's continuing education requirements to be presented in bulk.

At the suggestion of Dr. Alexander, the presentation of Agreed Citations will be presented by chiropractor, license number, duration of license lapsed, and amount of citation. Upon review by the Board, Dr. Cole made a motion, seconded by Dr. Hosenfeld and Ms. Fitzgerald. The motions carried.

### Correspondence Review

**Robin Barnes, DC**, submitted a letter requesting a temporary exemption to complete all 24 continuing education hours from home (online). Upon review by the Board, Dr. Cole made a motion, seconded by Ms. Fitzgerald, to approve Dr. Barnes' request to complete her continuing education requirements at home.

**John Floyd, Esq.**, representing Dr. George Nobles is seeking reinstatement for Dr. Nobles' lapsed license retroactively to his original lapsed date. Upon discussion, Dr. Cole made a motion to reinstate Dr. Nobles' license back to its original date when it was to be renewed (placed on a manual hold); the motion was seconded by Dr. Hosenfeld. The motion carried.

**Melissa Smith, CTA**, submitted a letter requesting an extension on her CTA license. During the course of illness, Ms. Smith's CTA hours expired and she is requesting a license to practice as a CTA. Upon discussion, Dr. Selby made a motion to grant a 12 month medical extension for Ms. Smith the motion was seconded by Ms. Fitzgerald. The motion carried.

### **Legislative Updates**

Mr. Ben Simpson, legislative liaison in the Health Department's Office of Legislative Affairs discussed the following legislations:

#### **Public Chapter 1029**

As enacted, amends the provisions governing X-ray equipment operators. This act will take effect on January 1, 2017. Mr. Simpson discussed this legislation which establishes a board for the purpose of the issuance of limited radiography certifications and full radiologic imaging and radiation therapy licenses. He confirmed that legislative action in regards to Public Chapter 1029 is currently underway and will be enforced, beginning January 1, 2017. Mr. Williams, representative for the Tennessee Chiropractic Association, informed the Board that currently, the Board of Chiropractic Examiners is unaffected by Public Chapter 1029. Mr. Williams explained this legislation does not affect the certified CTAs and CXTs who utilize radiological equipment for treatment purposes, as those are meant to still be placed under the jurisdiction of the Board of Chiropractic Examiners.

#### **Public Chapter 763**

Permits licensees, whose licenses have expired due to non-payment, to be reinstated when payment of the annual (which is actually bi-annual) renewal fee along with payment of a late renewal fee that is capped at twice the annual renewal fee are completed. This public chapter makes no changes to continuing education requirements and all unattained continuing education must be completed along with repayment structure above prior to reinstatement. This replaces the current requirement of payment of all past due fees before reinstatement. This act will take effect on July 1, 2016.

#### **Public Chapter 990**

This legislation requires an insurer to reimburse and provide coverage for telehealth services provided by a practitioner licensed in Tennessee, regardless of the patient's location. This act will take effect on January 1, 2017.

### **Discussion of CTA/CXT Rules Revisions**

Dr. Cole presented the proposed revisions to the CTA and CXT rules. After review and discussion of the by the Board, Dr. Cole made the following motions: to reduce reciprocity application fees to \$100.00 under each profession's rules in subparagraph .06, to amend to the proper address in the documentation, to strike the definition of the supervision of interns in the rules, and to accept the revisions in the rules and present them to the Office of General Counsel to begin the process of a rulemaking. Dr. Cole made a These motions were seconded by Sheila Fitzgerald. The motions carried.

### **Social Media Policy**

There was no discussion on this issue.

### **D.O.T. Issue**

There was no discussion on this issue.

### **Adjournment**

There being no other business, the meeting adjourned at 1:00 pm.

**These minutes were ratified by the Board on October 20, 2016**

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